

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PAINTERS DISTRICT COUNCIL No. 30)	
HEALTH and WELFARE FUND, and)	
RICHARD G. WILDE, on behalf of)	
themselves and all others similarly situated,)	
)	
Plaintiffs,)	
)	Civil Action No. 05-360
v.)	
)	
ABBOTT LABORATORIES, FOURNIER)	
INDUSTRIE ET SANTE, and)	
LABORATOIRES FOURNIER, S.A.,)	
)	
Defendants.)	
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VISTA HEALTH PLAN, on behalf of itself)	
and all others similarly situated,)	
)	
Plaintiffs,)	
)	Civil Action No. 05-365
v.)	
)	
ABBOTT LABORATORIES, FOURNIER)	
INDUSTRIE ET SANTE, and LABORATOIRES)	
FOURNIER, S.A.,)	
)	
Defendants.)	
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ALLIED SERVICES DIVISION WELFARE)	
FUND, on behalf of itself and all others similarly)	
situated,)	
)	
Plaintiffs,)	
)	Civil Action No. 05-394
v.)	
)	
ABBOTT LABORATORIES, FOURNIER)	
INDUSTRIE ET SANTE, and LABORATOIRES)	
FOURNIER, S.A.,)	
)	
Defendants.)	
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PENNSYLVANIA EMPLOYEES BENEFIT)
 TRUST FUND, on behalf of itself and all others)
 Similarly situated,)

Plaintiff,)

v.)

ABBOTT LABORATORIES,)
 FOURNIER INDUSTRIE ET SANTE;)
 and LABORATORIES FOURNIER S.A.,)

Defendants.)

Civil Action No. 05-390

DIANA KIM, on behalf of herself and others)
 similarly situated,)

Plaintiff,)

v.)

ABBOTT LABORATORIES, FOURNIER)
 INDUSTRIE ET SANTE, and LABORATORIES)
 FOURNIER, S.A.)

Defendants.)

Civil Action No. 05-426

PHILADELPHIA FEDERATION OF)
 TEACHERS HEALTH AND WELFARE FUND,)
 on behalf of themselves and all others similarly)
 situated,)

Plaintiff,)

v.)

ABBOTT LABORATORIES, FOURNIER)
 INDUSTRIE ET SANTE, and)
 LABORATOIRES FOURNIER, S.A.,)

Defendants.)

Civil Action No. 05-467

CINDY CRONIN, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

ABBOTT LABORATORIES, FOURNIER
INDUSTRIE ET SANTE, and
LABORATOIRES FOURNIER, S.A.,

Defendants.

Civil Action No. 05-482

CHARLES M. SHAIN and SANDRA KRONE
on behalf of themselves and all other persons
and entitles similarly situated,

Plaintiffs,

v.

ABBOTT LABORATORIES, FOURNIER
INDUSTRIE ET SANTE,
and LABORATORIES FOURNIER, S.A.

Defendants.

Civil Action No. 05-475

ELAINE M. PULLMAN, NEIL PERLMUTTER,
HELENA PERLMUTTER, and LULA RAMSEY,
on behalf of themselves and all others similarly
situated,

Plaintiff,

v.

ABBOTT LABORATORIES;
FOURNIER INDUSTRIE ET SANTE;
and LABORATORIES FOURNIER S.A.,

Defendants.

Civil Action No. 05-450

LOCAL 28 SHEET METAL WORKERS, on)	
behalf of itself and all others similarly situated,)	
)	
Plaintiff,)	
)	Civil Action No. 05-516
v.)	
)	
ABBOTT LABORATORIES;)	
FOURNIER INDUSTRIE ET SANTE;)	
and LABORATORIES FOURNIER S.A.,)	
)	
Defendants.)	
)	

**MOTION FOR ENTRY OF PRETRIAL ORDER NO. 1 REGARDING
CONSOLIDATION OF INDIRECT PURCHASER CLASS ACTIONS AND
COORDINATION OF INDIRECT PURCHASER CLASS ACTIONS WITH
DIRECT PURCHASER ACTIONS AND DIRECT PURCHASER INDIVIDUAL
ACTIONS**

Plaintiffs in the above captioned actions ("Plaintiffs") hereby move for entry of proposed Case Management Order No.1, submitted herewith. Plaintiffs, indirect purchasers, have filed actions against Abbott Laboratories, Fournier Industrie et Sante, and Laboratoires Fournier, S.A., (collectively, "Defendants") in the this Court (Civil Action numbers 05-360, 05-365, 05-394, 05-390, 05-426, 05-467, 05-482, 05-475, 05-450, and 05-516, respectively). Plaintiffs seek to recover overcharge damages resulting from Defendants' alleged exclusion of competition from the fenofibrate market in violation of Section 2 of the Sherman Act, 15 U.S.C. § 2.

In order to promote judicial economy and avoid duplication, Plaintiffs move the Court to provide for the consolidation and/or coordination of these actions and any other class actions filed in or transferred into this District on behalf of direct purchasers, and for an organization of plaintiffs' counsel as set forth in Case Management Order No. 1.

Based upon the foregoing, Plaintiffs respectfully request that Case Management Order No. 1 be entered.

Dated: July 26, 2005

Respectfully submitted,



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